

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JAIVEER TYEE, and XANTHE TABBS,

Defendants.

8:22CR227

ORDER

This matter is before the court on the request of the government made at the Initial Appearance on November 22, 2022 to declare this case as complex and to adjust the discovery and pretrial motions deadline. The defendants agreed to the request. The court finds from the representations by counsel for the parties that this case is so unusual and so complex due to the nature of the prosecution, the existence of novel questions of fact and law, and the amount of discovery, it would be unreasonable to expect adequate preparation for pretrial proceedings or for the trial within the time limits established by the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(B)(ii).

IT IS ORDERED:

1. The government shall provide Rule 16 discovery no later than December 5, 2022. A Telephone Conference is set for 1/31/2023 at 10:00 a.m. before Magistrate Judge Michael D. Nelson to set further progression deadlines. Counsel will follow the call-in instructions sent to them by e-mail.

2. The ends of justice have been served by granting such request and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., from today's date, through January 31, 2023, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 22nd day of November, 2022.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge